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U.S. DISTRICT COURT E.D.N.Y.

★ NOV 16 2006 ★

C/W  
LONG ISLAND OFFICEUNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
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UNITED STATES OF AMERICA,

PRELIMINARY  
ORDER OF FORFEITURE

04-CR-336 (S-2) (LDW)

- against -

MICHAEL VARRONE

Defendant.  
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WHEREAS, on April 12, 2006, the Defendant pleaded guilty to Count One of the above-captioned Indictment, charging the defendant with a money laundering conspiracy in violation of 18 U.S.C. § 1956(h), and agreed to the entry of an order forfeiting the sum of one hundred thousand dollars and no cents (\$100,000.00) to the United States pursuant to 18 U.S.C. § 982 and 21 U.S.C. § 853(p); and

NOW THEREFORE IT IS HEREBY ORDERED, ADJUDGED AND DECREED,

on consent of all parties, as follows:

1. The Defendant MICHAEL VARRONE ("Defendant") hereby agrees to forfeit all of his right, title and interest in the sum of one hundred thousand dollars and no cents (\$100,000.00) (the "Forfeiture Money Judgment"), pursuant to 18 U.S.C. § 982, as property involved in his violation of 18 U.S.C. § 1956(h), and/or as property traceable to such property, and/or as substitute assets pursuant to 21 U.S.C. § 853(p).

2. Based upon the Defendant's plea, which has been preliminarily accepted by this Court, and in accordance with the Defendant's agreement, the Defendant shall pay to the United States the Forfeiture Money Judgment. All payments made towards the Forfeiture Money Judgment shall be in the form of electronic wire transfer to the account of the United States Treasury Department or by a bank check or certified check payable to the "United States Treasury Department" and shall be delivered by personal messenger or overnight express delivery to Assistant United States Attorney Diane Leonardo Beckmann, United States Attorney's Office, Eastern District of New York, 610 Federal Plaza, 5<sup>th</sup> Floor, Central Islip, New York, 11722.

3. In whole or partial satisfaction of the Forfeiture Money Judgment, the Defendant hereby agrees to forfeit to the United States all of his right, title and interest in the real property and premises located at 310 Lido Drive, Fort Lauderdale, Florida held in the name of Excell Development Corporation.

4. The defendant consents to the placement of a lien on his right, title and interest in the real property located at 310 Lido Drive, Fort Lauderdale, Florida.

5. Upon the sale of the real property located at 310 Lido Drive, Fort Lauderdale, Florida, the defendant shall remit to the United States Department of Treasury all of his right, title

and interest in the proceeds of such sale as a payment towards the Forfeiture Money Judgment as described in paragraph 2.

6. The United States Treasury Department is authorized to dispose of all payments towards the Forfeiture Money Judgment in accordance with all applicable laws and regulations.

7. The United States Treasury Department shall publish notice of this Order and of its intent to dispose of any assets referenced in paragraph 3 above, in accordance with the custom and practice in this district, in a newspaper of general circulation in such a manner as the Attorney General or his designee may direct. The United States may, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of this Preliminary Order of Forfeiture as a substitute for published notice as to those persons notified.

8. Upon entry of this Order, the United States Attorney General or his designee is authorized to seize and take possession of the Forfeited Asset and to conduct any proper discovery, in accordance with Fed. R. Crim. P. 32.2(b)(3) and (c), and to commence any applicable proceeding to comply with statutes governing third party rights, including giving notice of this Order.

9. Pursuant to Fed. R. Crim. P. 32.2(b)(3), this Preliminary Order of Forfeiture shall become final as to the Defendant at the time of sentencing and shall be made part of the sentence and included in the judgment.

10. The Court shall retain jurisdiction of this action to ensure compliance with the terms of this Order.

11. The Clerk of the Court is directed to send, by inter-office mail, five certified copies of this Preliminary Order of Forfeiture to Assistant United States Attorney Diane Leonardo Beckmann, United States Attorney's Office, Eastern District of New York, 610 Federal Plaza, 5<sup>th</sup> Floor, Central Islip, New York 11722.

Dated: Central Islip, New York

~~November~~, 2006  
Dec. 6<sup>th</sup>

  
HONORABLE LEONARD D. WEXLER  
UNITED STATES DISTRICT JUDGE